

**CONTROLLED SUBSTANCES BOARD  
MEETING MINUTES  
MARCH 4, 2010**

**PRESENT:** Yvonne Bellay, DVM; Robert Block; Timothy Boehmer,  
R. Ph.; Doug Englebert, R. Ph.; Darold Treffert, MD

**EXCUSED:** Cecelia Hillard, Ph.D.

**STAFF:** Gail Sumi, Bureau Director; Michael Berndt, Legal  
Counsel; Karen Rude-Evans, Bureau Assistant

**GUESTS:** none

**CALL TO ORDER**

Darold Treffert, Board Chair, called the meeting to order at 9:31 a.m. A quorum of 5 was confirmed.

**APPROVAL OF AGENDA**

**Amendments to the Agenda:**

- Under Item “C” ADMINISTRATIVE REPORT – John Lease is not available to meet with the Board
- On page 2 of the Agenda, re-letter Items “E, F and G” to “F, G and H”
- Under Item “F” – Insert testimony of Robert Block on AB 740 after page 38
- Under Item “G” – Insert DEA Theft and Loss Report after page 44
- Under Item “H” – Insert two additional informational items after page 47

**MOTION:** Robert Block moved, seconded by Timothy Boehmer, to approve the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF DECEMBER 10, 2009**

**Corrections:**

- On page 3 under SENATE BILL 368 AND ASSEMBLY BILL 544..., in the first motion, correct the spelling of “Doug Engelbert” to “Doug Englebert”.

- On page 4 under INFORMATIONAL ITEMS – Correct the meeting date from “February 25” to “March 4”.

**MOTION:** Doug Englebert moved, seconded by Tim Boehmer, to approve the Minutes of December 10, 2009, as corrected. Motion carried unanimously.

## **ADMINISTRATIVE REPORT**

### **DRL Staff Updates**

Gail Sumi is now the Bureau Director for the Controlled Substances Board. John Lease is the Division Administrator in Board Services. Michael Berndt, General Counsel, has been filling in as the Board’s legal counsel; however Michele Miller Hayes has recently been hired as legal counsel and will start at DRL on March 15. Karen Rude-Evans is the bureau assistant working with the Medical Examining Board and all the associated boards as well as working with most of the Boards assigned to Gail Sumi. Yolanda McGowan, former Bureau Director, is now Legal Counsel for the same board. Charles Facktor is the Attorney Supervisor in the Division of Enforcement (DOE) and Jim Parker, who was the DRL Budget Director, has accepted the position of Division Administrator in DOE.

### **Consideration of Board Liaison Appointments**

- Special Use Authorization Liaison(s) and Process – Yvonne Bellay, Cecelia Hillard
- Legislative Liaison – Robert Block
- Practice Question Procedure – Darold Treffert and then to the Board
- State council on Alcohol and Drug Abuse – Doug Englebert

## **CONSIDERATION OF SENDING A REPRESENTATIVE TO THE NASCSA MEETING OCTOBER 19-22, 2010, CHARLESTON, SC**

**MOTION:** Tim Boehmer moved, seconded by Doug Englebert, to authorize Robert Block to attend the NASCSA Meeting October 19-22, 2010, in Charleston, SC. Motion carried unanimously.

## **SPECIAL USE AUTHORIZATION PERMIT REPORT**

Yvonne Bellay had no issues to report.

**UPDATE ON ASSEMBLY BILL 227 RELATING TO THE CREATION OF A  
PRESCRIPTION DRUG MONITORING PROGRAM**

Gail Sumi updated the Board on the status of Assembly bill 227.

**UPDATE, ADDITIONAL BOARD REVIEW AND POSSIBLE CONSIDERATION OF  
ASSEMBLY BILL 554 RELATING TO THE MEDICAL USE OF MARIJUANA**

The Board had a lengthy discussion on this bill and reviewed Robert Block's written testimony before the joint hearing on Senate Bill 368 and Assembly Bill 554 held on December 15, 2009. The Board also reviewed Mr. Block's written summary of the hearing.

**ASSEMBLY BILL 186 RELATING TO SALVINORIN A**

This bill was passed and signed on March 3, 2010.

**BOARD REVIEW AND POSSIBLE CONSIDERATION OF ASSEMBLY BILL 740  
RELATING TO GROWING AND PROCESSING INDUSTRIAL HEMP**

The Board reviewed a written copy of Robert Block's presentation at the public hearing regarding Assembly Bill 740 on February 24, 2010.

**MOTION:** Yvonne Bellay moved, seconded by Tim Boehmer, to send a letter to the members of the Assembly Agricultural Committee that AB 740 does not address the issue of a legal defense in the case of possession or delivery of marijuana which is not hemp. Motion carried unanimously.

Robert Block will draft the letter and will forward the draft to Darold Treffert and Gail Sumi for review.

**STATE COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE REPORT**

Doug Englebert had no report.

**CONTROLLED SUBSTANCES THEFT AND LOSS REPORTS**

This report was informational.

**INFORMATIONAL ITEMS**

The Board noted the informational items.

**PUBLIC COMMENTS**

None

**ADJOURNMENT**

**MOTION:** Doug Englebert moved, seconded by Robert Block, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:07 p.m.